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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Chad

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Introduction

1. As part of the third cycle of the universal periodic review, the Republic of Chad is submitting its third national report to the Human Rights Council of the United Nations in Geneva, Switzerland.

2. The present national report describes the steps taken by the Government of Chad since 2014 to promote and defend human rights and fundamental freedoms. It aims to highlight the progress that has been made and to set out the main challenges that have yet to be overcome. It then outlines the efforts made to implement the recommendations issued by States parties when Chad last appeared before the Human Rights Council, the challenges and constraints that necessitate the support of the international community and, lastly, the aims and expectations of the Government.

I. Report drafting process and methodology

3. The Government set itself the objective of producing a report that was based on consultations with and consensus among the various partners dealing with human rights.

4. The Interministerial Follow-up Committee on International Human Rights Agreements is composed of representatives of public institutions, such as ministries, the National Assembly and the National Human Rights Commission, representatives of civil society organizations and resource persons.

5. In order to ensure that the members of the Committee were properly informed about the outcomes of the second periodic review of Chad, they were invited to a briefing session on the recommendations as soon as the Chadian delegation had returned from Geneva. That session was followed by a day of discussions on the reconsideration of recommendations that had been rejected, in May 2015, and a day of follow-up on the implementation of the recommendations made during the review, in November 2015.

6. During the preparation of the national report, civil society organizations were specifically invited to attend a workshop held on 28 and 29 December 2015 in order to contribute to the grid setting out the national action plan on the universal periodic review. Thanks to their contribution, representatives of government bodies were able to draw up an action plan for the implementation of the recommendations made during the review, which was then approved at a workshop held in February 2016.

II. Improvements in the legal and institutional framework and cooperation with United Nations mechanisms

7. In its drive to promote and defend human rights, Chad has ratified several legal instruments that were not mentioned in the recommendations made during the 2014 review.

A. Conventions ratified independently of recommendations

8. Chad has ratified the following four major legal instruments:

- The Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights. The purpose of this regional court is to protect human rights and freedoms in Africa. Its work strengthens and supplements that of the African Commission on Human and Peoples' Rights.
- The United Nations Convention against Transnational Organized Crime, a legal instrument for the prevention and punishment of human trafficking.
- The International Convention for the Suppression of the Financing of Terrorism.

- The United Nations Convention against Corruption.

B. Conventions recommended for ratification

9. Chad is in the process of ratifying four of the eight conventions that were mentioned in recommendations, namely:

- The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- The International Convention for the Protection of All Persons from Enforced Disappearance.
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The bill on ratification was adopted by the Council of Ministers on 21 June 2018.
- The Convention on the Rights of Persons with Disabilities. The bill on ratification was adopted by the Council of Ministers on 21 June 2018.

10. The ratification of these legal instruments will strengthen the existing framework for the protection of persons living in precarious circumstances or facing dire situations.

C. Newly adopted national legislation

11. Since the last review cycle, in 2014, Chad has made huge progress in adopting human rights laws and regulations. The texts that have been adopted, while they complement one another, can be grouped by theme.

- Firstly, the National Human Rights Commission has been reformed to ensure compliance with the Paris Principles, under Act No. 026/PR/2017 of 30 December 2017 and Ordinance No. 024/PR/2018 of 27 June 2018 on the Commission's responsibilities, organization and functioning. As a result of this Act, the Commission now benefits from real independence from the executive branch and financial autonomy, which ensures its credibility and its effectiveness in promoting and protecting human rights and fundamental freedoms. The Commission has also been recognized in the Constitution as a major institution of the Republic. Since this reform, the Government has been working to make the Commission operational, by issuing an order on the procedure for the appointment of its members and by publishing a guidance note for civil society organizations. The process of establishing a new National Human Rights Commission is therefore well and truly under way.
- Secondly, legislation has been adopted with a view to ensuring the proper administration of criminal justice in Chad and helping to improve the conditions faced by defendants and detainees. This legislation amends the Criminal Code and the Code of Criminal Procedure, bringing them into line with the relevant human rights conventions that have been ratified by Chad. For example, under the new Criminal Code, the death penalty can no longer be imposed for ordinary offences. Mindful of the need to make prison conditions more humane, the Government has also adopted Act No. 019/PR/2017 of 28 July 2017, on the prison system.
- Thirdly, several texts on specific aspects of human rights have been adopted, such as:
    - Ordinance No. 006/PR/2018 of 30 March 2018 on combating human trafficking in Chad, which supplements the United Nations Convention against Transnational Organized Crime, which Chad has ratified.
    - Act No. 029/PR/2015 of 21 July 2015 prohibiting child marriage, which is intended as a legal means of combating this problem, which has a significant physical and psychological impact on thousands of Chadian girls.

- Decree No. 142/PR/2014 of 19 February 2014 on the implementation of Act No. 008/PR/2013 of 10 May 2013 on civil status in Chad, which has contributed to the development of the legal framework governing civil status. This decree helps to give effect to the Act on civil status, which provides certain legal guarantees for persons born or living in Chad, whether they are Chadians, foreign nationals or refugees.

- Consumers are protected by Act No. 005/PR/2015 of 4 February 2015 on the protection of consumer rights. Consumer protection has become a major issue for all countries, especially developing ones. This issue covers at once the right to protection of health and social security, the right to protection of economic interests, the right to reparation for damages and the right to information and education.

- Chad is also tackling concerns relating to cybercrime, electronic data security and personal data protection. The National Assembly adopted three laws on these subjects in February 2014:

  - Act No. 009/PR/2014 of 10 February 2014 on combating cybercrime.

  - Act No. 007/PR/2014 of 14 February 2014 on personal data protection.

  - Act No. 006/PR/2014 of 10 February 2014 on the establishment of the National Agency for Cybersecurity and Electronic Certification.

D. National human rights policies and strategies

12. Many national and sectoral policies and strategies that are currently being implemented in Chad contain relevant provisions on the need to promote and defend human rights. This illustrates the Government's commitment to tackling human rights issues, as a priority. One key policy document is the 2017–2021 National Development Plan, which was adopted in June 2017 with the aim of boosting national development in order to achieve emerging country status by 2030. Two of the strategic priorities defined in this plan concern human rights. Specifically, the second strategic priority is to increase civil society participation in the preparation, implementation and evaluation of public policies, and the fourth strategic priority is to improve the health system, the education system and living conditions. It should also be noted that a national coordinating committee tasked with monitoring progress towards meeting the Sustainable Development Goals was set up under the authority of the Ministry of Economic Affairs and Development Planning in March 2018; it brings together representatives of all entities involved in development, including the Government, the parliament, civil society and the private sector, to monitor efforts to achieve the Goals, many of which deal with human rights issues.

13. Since the previous review, Chad has opted for a development policy that focuses on empowering women, combating violence and all forms of discrimination and ensuring that gender is taken into account in decision-making bodies and the composition of electoral lists. Several initiatives have been launched for the empowerment of women, including displaced and refugee women, and for the reduction of poverty. Two documents on these issues have been drawn up, namely the National Gender Policy, which was adopted in 2016, and the National Strategy to Combat Gender-Based Violence. The National Gender Policy led to the issuing of Ordinance No. 012/PR/2018 of 22 May 2018, which established rules for gender parity in elections and appointments to office in the country.

14. Numerous policies and strategies have been put in place in the field of health. These include the National Health Policy, the National Strategy for Universal Health Coverage and the National Strategy on Community Health. Their aim is to make all health services accessible.

15. It is also worth noting the policies and programmes of the Ministry of Justice and Human Rights, which not only provide a framework for action, but also allow Chad to receive various types of support from technical and financial partners, including for the promotion and defence of human rights. Examples include the 2018–2027 Justice Sector Policy and the Programme to Support Justice in Chad (PRAJUST II), which are designed to

help the Government establish a legal system that ensures access to justice for all Chadians, while strengthening the courts and improving governance in the country. A specific module on human rights has been incorporated into the training provided for future judges and registrars at the National Institute of Judicial Training. This will give them a good grounding in human rights issues and ensure that they take human rights into account in the legal decisions that they are required to make in the course of their work.

16. As part of the implementation of the Interim Strategy on Juvenile Justice, specific training modules on the rights of children and child psychology have been introduced for juvenile judges, prosecutors and senior police officers.

17. Lastly, the Government has taken the initiative of introducing data-collection tools with a view to publishing statistical yearbooks on justice, health and education. Statistics, long considered the Achilles heel of public policy analysis, are increasingly used by the Government.

E. National institutions for the promotion and protection of human rights

Ministry of Justice and Human Rights

18. In an effort to promote and protect human rights, a ministry dedicated to that purpose was established by the country's highest authorities in 2005. However, in order to promote synergy within the Government, that ministry was merged with the Ministry of Justice in 2014 to become the Ministry of Justice and Human Rights. Within this government department, it is the Human Rights Directorate that is responsible for initiating and coordinating action to promote and protect human rights. The Directorate thus plays a key role when it comes to human rights information, guidance, education and outreach.

Military justice system

19. The military justice system is one of the innovations provided for by the Constitution of 4 May 2018. According to section X, its jurisdiction covers all offences committed by members of the military and breaches of State security. The military justice system will thus serve as a deterrent for certain members of the military who otherwise might commit human rights violations.

Supreme Court

20. The Constitutional Chamber of the Supreme Court will continue, firstly, to rule on the constitutionality of laws, treaties and international agreements, and, secondly, to settle disputes relating to presidential and legislative elections and to ensure the proper conduct of referendums and announce their results.

21. The Government is pleased to announce that the Constitutional Chamber, in its new role, will also be required to review all legislation that deals with public freedoms and human rights. It will thus contribute significantly to the protection of human rights in Chad.

Judicial pool for the punishment of economic and financial offences

22. A judicial pool tasked with preventing and punishing economic and financial offences and contributing to fiscal consolidation is being set up, on the recommendation of the National Forum for Inclusion, with a view to improving governance and strengthening the rule of law. This pool will support the Government in its efforts to combat corruption and abuse of official authority, in accordance with the United Nations Convention against Corruption, ratified by Chad on 21 May 2018.

F. Cooperation with treaty bodies and special procedures

23. Since its last appearance before the Human Rights Council, Chad has stepped up its cooperation with the United Nations special procedures. In addition to the standing invitation issued in 2012, it has extended specific invitations to three working groups,

namely on the issue of discrimination against women in law and in practice, on the independence of judges and lawyers and on education.

24. It was at the Government's insistence that the Working Group on the issue of discrimination against women in law and in practice and the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination visited Chad in December 2017 and April 2018, respectively.

25. The Government also received the President of the African Court on Human and Peoples' Rights, who organized a training session on the work of the Court, and Ms. Fatou Bensouda, the Prosecutor of the International Criminal Court.

26. Lastly, the Government has prepared and submitted the following reports to United Nations treaty bodies: the common core document, the second periodic report under the Convention against Torture, the fourth periodic report under the Convention on the Elimination of All Forms of Discrimination against Women and the combined third to sixth periodic reports under the Convention on the Rights of the Child.

27. At the regional level, the Government has submitted reports under the African Charter on the Rights and Welfare of the Child and the African Charter on Human and Peoples' Rights.

III. Progress in the field of human rights since the previous cycle of the universal periodic review

A. Cross-cutting issues

Equality and measures to combat discrimination against women

28. Generally speaking, the laws and regulations and the various development policies adopted since 2014 emphasize the need to address women and men without any discrimination.

29. More specifically, with Ordinance No. 012 of 22 May 2018, the Government established a requirement for gender parity in elections and appointments to office. Article 2 of this text stipulates that a quota of at least 30 per cent of appointed offices must be reserved for women. The aim is to progressively increase this quota in order to achieve parity. As regards election to office, article 3 establishes that women must account for at least 30 per cent of the names on any list of candidates for legislative or local elections.

30. The appointments that have been made since the publication of this Ordinance show that it is starting to be implemented. This Ordinance is one of the responses to resolutions 2, 8, 9 and 11 of the National Forum for Inclusion held in March 2018, an event where the issues of equality and non-discrimination were discussed at length.

31. Besides legislation promoting equality and non-discrimination, a road map prohibiting child marriage and genital mutilation was adopted by the Government in April 2016. It is also worth mentioning the appeals made by the Ministry responsible for women's affairs to the Working Group on the issue of discrimination against women in law and in practice.

32. A number of projects aim to help women to progressively gain independence and to achieve equality, such as the Sahel Women's Empowerment and Demographic Dividend Project and the microcredit fund for women and young persons. In addition, the Women's Centre has drawn up an action plan and runs various activities with the aim of combating gender-based violence, inequality and discrimination against women.

33. Lastly, women also benefit from initiatives such as the entrepreneurship programme run by the National Office for Youth and Sport, support for unemployed graduates and women wishing to develop income-generating activities and the social reintegration support provided by the National Employment Promotion Office, and the agromechanization project involving the provision of tractors, which has been piloted by the National Agency

for Rural Development. It is worth noting the advocacy work carried out by several women's organizations, led by the Chadian Association of Women Lawyers, to promote access to land for women. As a result of this advocacy, several hectares of cultivable land have been made available to women in regions such as Salamat, Hadjer-Lamis, Logone Oriental, Logone Occidental, Moyen-Chari and Mandoul.

Environmental issues

34. Chad is increasingly confronted with the effects of climate change, including decreased rainfall, a decline in production, floods, deforestation, the shrinking of Lake Chad and other lakes, drying up of waterways, siltation, rapid desertification, loss of plant cover, extinction of some species of animals and fish and pressure on pastureland, which worsens conflicts between livestock herders and farmers and causes rural flight.

35. Legislation adopted by the Government before 2014 to address these problems includes Act No. 14/PR/98, setting out general environmental principles; Act No. 14/PR/2008, regulating forests, fauna and fishery resources; and Act No. 016/PR/2015 of 20 July on research and seed improvement. The Government has also banned the use of non-degradable plastics and firewood, set up a joint task force for the enforcement of environmental protection and introduced butane gas subsidies.

36. The country's active participation in regional and international environmental bodies also demonstrates the importance that it attaches to environmental issues. Indeed, Chad is a member of the Lake Chad Basin Commission (LCBC), the Niger River Basin Authority (NBA), the Permanent Inter-State Committee for Drought Control in the Sahel (CILSS), the Economic Commission on Livestock, Meat and Fishery Resources (CEBEVIRHA), the project for the protection of the Congo basin and the project for the diversion of water from the Ubangi River to replenish Lake Chad; it also has a National Environment Fund.

37. As regards the protection of rare species, the Government has taken measures to ensure the full protection of manatees in Lake Léré and has reintroduced the oryx in the Ouadi Rimé-Ouadi Achim wildlife reserve and the rhinoceros in Zakouma national park.

38. Chad is the first African country to have acceded to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes of 1992, under the aegis of the secretariat of the United Nations Economic Commission for Europe.

Human rights and counter-terrorism

39. The State's commitment to the core principles of human rights, as set forth in the Charter of the United Nations of 1945, the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1981, features prominently in the preambles to its successive constitutions, including the Constitution that is currently in force. Chapter I of Section II of the Constitution of 4 May 2018 is devoted to fundamental rights and freedoms.

40. Despite the country's commitment to protecting human rights, it was subjected to three successive attacks perpetrated by Boko Haram in N'Djamena in 2015. A total of 38 people were killed and 181 were injured. In response to these despicable acts, which constituted serious and flagrant violations of human rights, Chad, which had already joined forces with Mali to combat the jihadis, deployed additional troops in order to continue the fight both in its territory and in neighbouring countries.

41. Chad has been forced to take the following measures domestically:

- Adoption of Act No. 034/PR/2015 of 5 August 2015 on the prevention and punishment of acts of terrorism.
- Establishment of a judicial pool specializing in counter-terrorism.
- Strengthening of the security presence throughout the national territory.
- Establishment of a transit and guidance centre for children associated with the terrorist group Boko Haram, in the Lac Region.

- Provision of training for the various participants in the criminal justice system and for the administrative staff of the Ministry of Justice, on processing and handling of cases involving terrorism.

42. At the international level, Chad deployed 3,000 troops to Mali under the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

43. Alongside its purely military commitments, Chad has taken the following measures to strengthen its judicial cooperation:

- Signing of a tripartite judicial cooperation agreement between Chad, the Niger and Mali.
- Conclusion of the Convention on security and development of the Sahel, the G-5 Sahel.
- Exchange of information between States affected by acts of terrorism.
- Involvement in the Regional Judicial Platform of the Sahel countries.
- Ratification of the International Convention for the Suppression of the Financing of Terrorism.

44. The Act on the prevention and punishment of acts of terrorism, which was adopted in the wake of repeated terrorist attacks on the Chadian capital in 2015, is currently being reviewed, with technical support from the United Nations Office on Drugs and Crime (UNODC) and PRAJUST II, in order to ensure compliance with international counter-terrorism standards. This shows that the Government is keen to combat terrorism while respecting human rights, for example by dropping the use of the death penalty also in cases of terrorism.

B. Civil and political rights

Presidential elections

45. After its last periodic review, Chad held presidential elections. The election process, which was based on the political agreement of 13 August 2007 and the subsequent agreement of May 2014, involved all those wishing to contend for the presidency, including representatives of both the ruling party and the democratic opposition. In order to promote transparency, credibility and mass participation in the election, Chad used biometrics for the first time throughout the election process, from voter registration through the voting procedure. As a result, the vote of 10 April 2016, in which resulted the incumbent was re-elected, was deemed transparent, free and credible by the various participants involved in the process and by international observers.

National Forum for Inclusion

46. The National Forum for Inclusion was held in N'Djamena from 19 to 27 March 2018 with the aim of strengthening democracy and enabling the State to operate more effectively. The reforms proposed by the 1,169 participants, who came from within and outside the country, concerned six main areas of interest, namely:

- The structure of the State.
- The reorganization of the country's major political institutions.
- The parliamentary system.
- Reforms to strengthen peace, national unity, stability, the rule of law and good governance.
- Judicial reform.
- The advancement of women and young people.

47. The Forum concluded with the adoption of 74 resolutions and 5 recommendations, some of which concerned the promotion and protection of human rights. There were three resolutions on the reforms needed to strengthen peace, national unity, stability, the rule of law and good governance and the granting of constitutional status to the National Human Rights Commission as an independent administrative authority; eight resolutions on the advancement of women; nine on the advancement of young people and two on the situation of persons with disabilities.

Political dialogue

48. The ruling and opposition parties have reworked the National Framework for Political Dialogue, which now serves as the foundation for political decision-making based on consensus. The status of the opposition is now enshrined in the country's Constitution. Furthermore, in order to foster political dialogue, a general amnesty for all political opponents in exile was declared in Ordinance No. 19/PR/2018, of 23 May 2018.

Freedom of movement

49. In accordance with a resolution of the National Forum for Inclusion, the Government has removed illegal roadblocks in order to facilitate the free movement of people and goods within the country.

Freedom of the press

50. The Government has taken several measures to help ensure freedom of the press in Chad. This freedom is enshrined in article 28 of the Constitution of the Fourth Republic and governed by the conditions set forth in Act No. 17/PR/2010 of 5 March 2010 on the regulation of the press in Chad. The press liberalization policy has allowed new public and private media outlets to emerge, both in the field of the written press and in the audiovisual sphere. Lastly, the High Council on Communication has been replaced by the High Authority for Media and Broadcasting, a regulatory body whose mandate has been adjusted in order to promote freedom of the press.

Right to strike

51. The right to strike is considered a fundamental right. It is recognized in article 30 of the Constitution currently in force and governed in practice by Act No. 032/PR/2016 of 12 November 2016 on the right to strike in the public services sector, and by the Labour Code of 31 March 1996. Public servants and private sector workers do not hesitate to make use of this right in order to claim better working and living conditions.

Right to protest

52. The right to protest is recognized in article 28 of the Constitution. All persons have the right to protest and to organize demonstrations with respect for the freedoms and rights of others and the critical need to safeguard national unity and to maintain public order and uphold moral standards. Given the fragility of the country's social fabric in the face of the terrorist threat, it is difficult to authorize protest marches because of the risk that they might be infiltrated by rogue elements trying to cause chaos.

Collective remission of sentences

53. The President regularly grants presidential pardons to allow for the collective remission of detainees' sentences. Remission of this kind has no impact on financial penalties or damages. The humanitarian aspect of presidential pardons is indisputable; they serve not only to reduce overcrowding in prisons, but also to offer a second chance to detainees who have demonstrated good behaviour. To cite an example, 590 inmates at Amsinéné prison in N'Djamena have thus been pardoned in 2018.

C. Economic, social and cultural rights

Poverty reduction

54. Chad has been classified as one of the poorest countries in the world. Its annual population growth of 3.6 per cent continues to pose a major challenge, while the vulnerability of women and children is exacerbated by regional instability and the negative impact of global factors such as climate change, the global economic crisis and sociocultural constraints.

55. In terms of human development indicators, Chad was ranked 186th out of 187 countries in the United Nations Development Programme (UNDP) report of 2015. The average life expectancy in Chad is 50 years. The country's poverty is perpetuated by both short-term and structural factors. Having long been dependent on agriculture and livestock farming, the Chadian economy was boosted by oil production in 2003 but has been in decline since 2015 owing to the fall in oil prices on the international market.

56. In spite of its efforts, the Government continues to face major budgetary challenges as a result of the significant costs of countering terrorism and ensuring the functioning of the State. In response, it has taken various measures to combat poverty, such as the adoption of the 2017–2021 National Development Plan. A forum was organized in Paris to raise funding from technical and financial partners for the implementation of this policy, which is a genuine tool for development planning. The pledges made as a result of that event amounted to around US$ 24 billion.

Promoting the right to education

57. The Government views the education sector as a priority. With support from technical and financial partners, Chad has launched a number of training, retraining and capacity-building initiatives for staff. For example, 38,905 primary school teachers, of whom 81.7 per cent were men and 18.3 per cent were women, received training between 2014 and 2016; 307 teachers have been assigned to the various refugee camps, 1,409 classrooms have been refurbished and 7,513 new classrooms have been built for primary schools. More than 5,249,126 school textbooks have been produced and distributed to primary schools free of charge by the National Curriculum Centre, and a gender-sensitive approach has been introduced in the education system, as follows:

- Support is provided to parents living in poverty to help them cover their daughters' school fees.
- Girls are encouraged to study sciences and steps have been taken to reduce the domestic burden faced by child mothers.
- A tutoring programme has been set up.
- Information campaigns have been held.

58. By means of social mobilization and community awareness-raising efforts, Chad has also provided education for many refugee children in the various camps throughout the country, under a specific national programme. Likewise, specific education services are provided for vulnerable children in nomadic and island communities, in accordance with their situation.

Promoting the right to health

59. The health sector, like the education sector, receives constant attention from the Government. A national health policy is in place, and the Head of State chairs a monthly meeting on the state of public health in Chad, which brings together all those who are involved in the health sector, whether at the national or the international level. Since 2014, the Government has worked tirelessly to improve medical facilities and to build the capacities of health-care workers. Some treatments have been made free of charge for mothers and children. Antiretroviral drugs, anti-tuberculosis drugs, haemodialysis and the insecticide-treated nets that are used to combat malaria, the leading cause of death in Chad,

are also available free of charge. Studies are being conducted with a view to introducing universal health coverage.

60. The measures taken by the Government have led to noticeable improvements in public health. According to the findings of the 2014–2015 multiple indicator demographic and health survey, since 2004, the maternal mortality ratio has dropped from 1,099 deaths per 100,000 live births to 860; the infant mortality rate has fallen from 102 deaths per 1,000 live births to 72; and the infant and child mortality rate has decreased from 191 deaths per 1,000 live births to 133. Moreover, no major epidemics, such as meningitis and cholera, have been registered since 2012.

61. In spite of these encouraging findings, the Government remains vigilant and has continued to concentrate on ways to improve the performance and resilience of the national health system.

Promoting the right to culture

62. Several activities have been organized by the Government since 2014 to promote the right to culture, including the resoundingly successful festival of Saharan culture, which was held in 2017 and 2018 and attracted delegations from both European and Saharan countries. In addition, a number of sites in Chad, such as the Ennedi Massif, the Guelta d'Archeï and the Lakes of Ounianga, have been included on the World Heritage List of the United Nations Educational, Scientific and Cultural Organization (UNESCO). The Lake Chad basin and Zakouma National Park are in the process of being registered on the List.

63. The Government is drawing up a register of artists and their works with a view to raising the profile of Chadian culture around the world.

64. Lastly, as far as facilities are concerned, reading and cultural activity centres throughout the country have been renovated and provided with equipment.

D. Rights of specific groups

Women's rights

65. The Government has indisputably made efforts to promote and protect the rights of women. Indeed, women's rights featured prominently in the resolutions of the National Forum for Inclusion of March 2018. The current Criminal Code, which was adopted in May 2017, establishes penalties for violence against women. Women are also protected by several key provisions of Ordinance No. 006/PR/2018 of 30 March 2018 on combating human trafficking.

66. Lastly, the Government has adopted Ordinance No. 012/PR/2018 of 22 May 2018 on gender parity in elections and appointments to office in Chad.

Rights of the child

67. Among the various actions taken by the Government since 2014 to further the promotion and protection of children's rights, it is worth noting Ordinance No. 06/PR/2015 of 15 March, prohibiting child marriage; the Interim Strategy on Juvenile Justice; and the action plan for the removal of children from armed forces and groups. This action plan, which is still being implemented, has allowed the Chadian National Army to rescue several children who have been involved with Boko Haram in the Lake Chad region.

IV. Implementation of the recommendations made in 2014

A. Interaction with international human rights protection mechanisms and ratification

1. Ratification of conventions (recommendations 1–30 and 89)

68. The Government of Chad has continued its ratification efforts, in keeping with the recommendations issued during the universal periodic review in 2014. The Government has begun the process of ratifying four conventions.

2. Integration of the provisions of the Rome Statute of the International Criminal Court into national legislation (recommendation 19)

69. In order to bring domestic legislation into line with the Rome Statute, the Government has integrated the crimes falling within the jurisdiction of the International Criminal Court into articles 285 ff. of its new Criminal Code and has introduced penalties for such crimes. Provision is made for cooperation with the International Criminal Court in Book IV, Title IV, Chapter IV, of the Code of Criminal Procedure (arts. 570–589). Military leaders are liable for crimes committed by any subordinates under their authority, and the national courts now have jurisdiction over the four crimes covered by the International Criminal Court.

B. Institutional and legislative reforms (recommendations 31–53, 61, 67, 68, 81, 86, 93, 94 and 97)

1. Adoption of legislation to protect women and children (recommendations 21, 32, 33 and 61)

70. Notwithstanding the persistence of sociocultural constraints, the Government has given priority to the recommendations to adopt domestic legislation for the protection of women and children. In order to fulfil these recommendations, a series of actions have been carried out specifically to review, hold consultations on and raise social and political stakeholders' awareness of the draft family and personal code and the draft children's code. Pending adoption of the codes, the Government has introduced specific legislation to protect these members of society, including the following:

- Ordinance No. 006/PR/2018 of 30 March 2018 on combating human trafficking in Chad
- Act No. 029/PR/2015 of 27 July 2015 ratifying Ordinance No. 006/PR/2015 of 14 March 2015 on the prohibition of child marriage in Chad
- Act No. 001/PR/2017 of 8 May 2017 on the Criminal Code, which includes provisions penalizing violence against women and children

2. Reform of the National Human Rights Commission, in accordance with the Paris Principles (recommendations 40–53)

71. Following the second universal periodic review, the Government of Chad brought the National Human Rights Commission into compliance with the Paris Principles by adopting Act No. 026/PR/2017 of 30 December 2017. This Act guarantees the Commission's independence and financial autonomy. Furthermore, the new Constitution elevates the Commission's status, recognizing it as a key institution of the Republic. Another ordinance was thus signed in order to bring Act No. 026 into compliance with the Constitution.

3. Abolishing the death penalty and prohibiting torture (recommendations 93, 94 and 97)

72. The new Criminal Code of 2017 abolished the death penalty for ordinary crimes. The death penalty is still applicable, for crimes relating to acts of terrorism only, under Act No. 034/PR/2015 of 5 August 2015. The Act is currently under review, and the Government is in support of abolishing the death penalty completely.

C. Economic, social and cultural rights (recommendations 150–172)

1. Combating poverty and improving living standards (recommendations 150–157)

73. The numerous steps taken by the Government to combat poverty in Chad are supported by its technical and financial partners. The National Development Plan provides a reference framework for these actions and is being implemented with support from the Donors' Forum. Public entities are all working, in their respective areas, towards reducing poverty. The National Employment Promotion Office, for instance, provides entrepreneurship training to young people, while the National Agency for Rural Development has launched several initiatives to improve agricultural management. The Government has also created a microcredit fund for women and young people. Technical and financial partners present in the field and working to reduce poverty include: the European Union, with several programmes funded by the European Development Fund; the United Nations agencies involved in the United Nations Development Assistance Framework; France, through the French Development Agency, AFD; as well as the United States Agency for International Development (USAID), the World Bank, the African Development Bank and the Sahel Women's Empowerment and Demographic Dividend Project, in actions aimed at empowering Chadian women.

2. Ensuring equal access to quality education for all (recommendations 158–164, 165, 166, 169, 170–172)

74. The education sector is always a priority for the Government. The following progress has been made towards achieving Sustainable Development Goal four and providing quality education for all at the primary level: 1,409 primary school classrooms were renovated and a further 7,513 built between 2015 and 2017, and 5,249,126 school textbooks were produced and distributed for free in the country's primary schools.

75. In terms of schooling for girls, several information campaigns on the importance of education for both girls and boys have been organized to mobilize public support and raise awareness among parents, decision makers and opinion leaders. Other actions have included: introducing a prize for girls who excel at school, helping impoverished parents to cover the costs of schooling for their daughters, mainstreaming gender within the education system, continuing with the mentoring and tutoring programme, encouraging girls to study science subjects, lightening the domestic workload of teenage mothers and adopting a national education strategy for young girls. These actions, implemented by the Government in partnership with UNICEF and the 2016–2021 Education component of the Sahel Women's Empowerment and Demographic Dividend Project, aim to ensure quality education for all and to eliminate gender disparity. The 2016–2021 Education component of this project is also testing out other ways of helping the Government to achieve its objective of tackling the disparity between girls and boys. As part of the new 2018–2020 Interim Strategy for Education in Chad, actions are being taken to increase the number of qualified teachers and care facilities and to improve and increase the capacity of such facilities.

3. Continuing to improve literacy in rural communities (recommendations 163, 165, 167 and 168)

76. To strengthen the country's literacy programme, the Government has put in place a three-level educational framework (level 1, level 2 and post-literacy) for drafting literacy textbooks. Literacy learning is provided in 37 languages, including the country's official languages. In addition to the Government's own services, a number of private and religious organizations, such as the Women's Associations' Information and Liaison Group, the

Chadian Association of Literacy, Linguistics and Bible Translation and the Summer Institute of Linguistics Chad (SIL Chad), run literacy programmes in both rural and urban communities. For the 2015–2016 period, 2,235 literacy centres were identified. Working with its partners, the Government has launched several projects and measures to promote literacy. These include: celebrating International Literacy Day every year on 8 September; organizing a week-long annual campaign to provide information and raise awareness of literacy issues among communities, opinion leaders and non-governmental organizations; and in 2014 establishing a fund for literacy and non-formal basic education, whose projects are now beginning implementation. Some literacy initiatives are conducted as part of other, broader projects, such as the Project Supporting Reform in the Education Sector, which works to improve the literacy of rural populations, and particularly women, and the Literacy and Vocational Learning Project, which covers literacy and non-formal education.

77. Lastly, considerable support for literacy has been provided through the Interim Strategy for Education and Literacy (2013–2017). This includes building and equipping 39,305 classrooms, purchasing school textbooks, providing other learning materials, capacity-building and supporting the Education Information and Management System.

4. Providing training and professional development to teachers to ensure quality education (recommendation 162)

78. To achieve the goal of quality education for all, the Government in 2015 and 2016 provided initial and further training to 38,905 primary school teachers, including 31,794 men (81.7 per cent) and 7,111 women (18.3 per cent), and subsequently ensured that the teachers were monitored and evaluated.

79. As part of the Project Supporting Reform in the Education Sector, 3,500 level 1 community teachers received training at the teacher training schools in Bongor, Laï, Pala and Koumra in 2017.

80. A further 4,500 community teachers will be recruited and trained in the country's 22 teacher training schools in 2018 and 2019 in order to reach the objective of training a total of 9,000 teachers, with financial support from the World Bank.

D. Civil and political rights

1. Improving detention conditions and putting an end to arbitrary detention (recommendation 100)

81. Since the country's previous universal periodic review, considerable progress has been made towards ending arbitrary detention in Chad. The new Code of Criminal Procedure requires there to be a lawyer or other person present from the preliminary investigation stage, failing which the proceedings are declared null and void. The Code is also innovative in terms of pretrial detention, which is set at 6 months in the case of ordinary criminal offences and one year in the case of serious ones.

82. Despite the particularly harsh economic climate, the Government has increased the food budget for detainees. In partnership with the European Union and as part of the Programme to Support Justice in Chad (PRAJUST II), the Ministry of Justice has undertaken a large-scale initiative to improve detention conditions and the living standards of detainees. In 2014, the Government also invested large amounts in instruction for prison staff, who were trained and subsequently deployed in the country's various prisons in 2017. Detainees have been separated based on their sex, age and district. A social reintegration programme for detainees in the country's 12 prisons is being implemented, with 200,000,000 CFA francs in funding provided by PRAJUST II.

2. Ongoing judicial reforms to combat impunity and serious human rights violations

83. Major progress has been made in this area since the country's last universal periodic review, particularly through the promulgation of the new Criminal Code and the new Code of Criminal Procedure, which transpose the main provisions of international human rights conventions into domestic law. In addition, the very first yearbook of judicial statistics has

been produced, with support from PRAJUST II. In terms of tackling impunity, a number of former agents of the Documentation and Security Directorate (DDS) who had committed serious human rights violations under former President Hissein Habré have been tried and convicted by the Chadian justice system. In addition, the Ministry of Justice has adopted a sectoral policy so that it can meet citizens' expectations in terms of access to the law and to justice.

3. Strengthening and universalizing access to the civil registry to ensure birth registration (recommendations 128, 130, 132, 133, 134 and 135)

84. Pursuant to Act No. 008/PR/2013 of 10 May 2013 on the organization of the civil registry in Chad, the Government, with assistance from its partners, has taken various steps to facilitate access to civil registration procedures for the inhabitants of all regions of the country, including refugees and displaced persons. These measures include training a large number of civil registry officers and staff and making logbooks available in refugee camps to make it easier to declare refugee children. Birth certificates are issued free of charge for children whose births are declared within one month. Community, religious and traditional leaders, as well as schoolteachers and Qur'anic teachers, judicial police officers and heads of youth associations, have received training to raise their awareness of the importance of civil registration.

E. Rights of vulnerable groups (recommendations 45–71, 91–92, 102–107, 109, 111, 114–120 and 174)

1. Strengthening the protection of the rights of women and children and combating female genital mutilation, rape and other violence against women (recommendations 45–71, 91–92, 146, 148–149, 102–107, 109, 111, 114–120 and 173)

85. Since 2014, the Government has constantly worked to strengthen the rights of women and children by applying articles 14 and 19 of the Constitution, which prohibit all forms of violence against human beings, and particularly female genital mutilation and other violence against women and children. The Criminal Code has been amended to include penalties for gender-based violence, in order to protect women against such acts. Rape is covered by and punishable under articles 349 and 350 of the Criminal Code. Article 318 of the Criminal Code provides severe penalties for those who carry out female genital mutilation and violence against children. Act No. 029/PR/2015 of 27 July 2015 on the prohibition of child marriage sets forth penalties for early or forced marriage. In addition, Ordinance No. 006/PR/2018 of 30 March 2018 further strengthens provisions to combat trafficking in persons, and particularly women and children.

86. In addition to its legislative responses, the Government has adopted the National Gender Policy and the National Strategy to Combat Gender-Based Violence to further harmonize its response to these persistent problems. It has also responded specifically to the difficulties encountered in certain regions where these practices are particularly entrenched. Each year, the Government runs an awareness-raising campaign with support from the United Nations Population Fund and UNICEF. The Ministry of Social Action and private structures ensure that female victims of gender-based violence receive multidimensional care through help centres, clinics and legal assistance offices. By implementing a road map to combat female genital mutilation, the Government has managed to reverse the trend: the practice of female circumcision is declining, while that of performing initiation rites without cutting is on the rise.

87. Regarding children involved with armed forces and armed groups, there are no child soldiers within the ranks of the country's armed and security forces. Unfortunately, the rise of the Boko Haram terrorist network has caused a new phenomenon to emerge: that of child suicide bombers. To combat this, the Government and its partners have put in place a strategy to demobilize these children and reunite them with their parents through dedicated processing centres.

2. Protecting the rights of refugees and displaced persons (recommendations 102 and 174)

88. Chad is a host country in which both refugees and displaced people are protected. There are currently 619,440 refugees and 157,734 displaced people in the country, the majority of whom are women and children.

89. In response to the various forms of violence committed against women and girls living in the camps for displaced people and returnees in the Lake Chad region, the Government has coordinated its actions with the Office of the United Nations High Commissioner for Refugees and the National Commission for the Reception and Reintegration of Refugees and Returnees. It has also set up the Detachment for the Protection of Humanitarian Workers and Refugees, which guarantees security in and around the camps and protects convoys of refugees returning to their countries of origin.

90. A bill on the status of refugees in Chad is currently being drawn up by the Government.

3. Promoting women's participation in decision-making bodies (recommendations 146 and 148–149)

91. At the National Forum for Inclusion in March 2018, eight resolutions were adopted concerning the empowerment of women, including the right of women to participate in public affairs. In accordance with these resolutions, Ordinance No. 012/PR/2018 of 22 May 2018 imposes a quota of at least 30 per cent of women in elections and appointments to office.

4. Ensuring the protection of persons with disabilities

92. There are 1,691,116 persons with disabilities in Chad, and they are afforded special protection by the Government through Act No. 07/PR/2007 of 9 May 2007. Measures to support persons with disabilities figure prominently in the National Development Plan 2017–2021. In addition, at the National Forum for Inclusion held in March 2018, two resolutions were adopted addressing their situation. On 21 June 2018, Chad ratified the Convention on the Rights of Persons with Disabilities, which was confirmed by the Council of Ministers.

V. Challenges that require the support of the international community

93. In respect of implementation of the recommendations, the Government regrets that such a large number of recommendations were issued. The fact that there are more than one hundred represents a practical hurdle to ensuring their full implementation. Implementation is also difficult owing to the lack of training of senior supervisory staff.

94. The international community must come together to provide substantial support to the Government of Chad in the form of capacity-building for national bodies, as well as technical and financial assistance. This would enable the Government to make the human rights sector a priority so that it can meet its objectives of good governance, peacebuilding, peaceful coexistence and security.

VI. Aims of the Government

95. The Government of Chad seeks to:

- Consolidate democracy and good governance, and strengthen the effectiveness of the State.
- Scale up the fight against poverty and social inequalities and exclusion.
- Support and monitor basic social services.

- Build peace, unity and national consensus.
- Continue to develop the rural sector, and ensure food and nutritional security.
- Strengthen the promotion and protection of the rights of women and young people.
- Strengthen environmental protection.
- Continue to combat terrorism.

VII. Expectations of the Government with respect to its partners

96. In light of the fact that its resources have been limited by the country's economic and financial crisis and its commitment to combating terrorism, the Government of Chad calls on its partners to provide the support needed to:

- Build the institutional and operational capacities of the National Human Rights Commission.
- Build the institutional and operational capacities of the Ministry of Justice and Human Rights.
- Support the drafting of a national human rights plan.
- Support the drafting of a human rights education programme.
- Build the Government's capacities in the area of juvenile justice.
- Strengthen the Government's capacities so that it can draft and implement a national strategy for the judicial protection of women.

VIII. Conclusion

97. The Government of Chad would like to express its gratitude to the Human Rights Council for adopting the universal periodic review, which fosters a dynamic and interactive dialogue that has contributed to improving the global human rights situation. The efforts made by the Government at the legislative and institutional levels, as set out in this report, attest to its clear willingness to constantly improve the human rights situation in Chad.

98. Despite the many sociocultural, economic and financial obstacles that reduce and undermine these efforts, the Government of Chad stands ready to cooperate with technical and financial partners that are willing to assist it in its long-term endeavours to protect and promote human dignity.

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Compilation on Chad

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. In 2014, the Human Rights Committee recommended that Chad consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.[3]

3. In 2013, the Committee on the Elimination of Racial Discrimination encouraged Chad to make the optional declaration provided for in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.[4]

4. The United Nations country team strongly encouraged the Government to launch the ratification process, targeting the conventions suggested by the Human Rights Council during the second cycle of the universal periodic review; it noted that most of the recommendations had not yet been implemented.[5]

III. National human rights framework[6]

5. When Chad appeared before the Human Rights Council during the second cycle of the universal periodic review, the Government agreed to initiate a series of legislative reforms with a view to strengthening the legal framework for the protection of human rights, paying special attention to the situation of children and women.[7]

6. The country team noted that, during the previous four years, real progress had been made through the adoption of the law reforming the National Human Rights Commission,

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the Criminal Code, the Code of Criminal Procedure, the law prohibiting child marriage, and the law prohibiting and prosecuting the recruitment and use of children in armed conflicts. The country team had offered technical and financial assistance for the enactment of those instruments. The law reforming the National Human Rights Commission was in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and reflected the amendments by the Office of the United Nations High Commissioner for Human Rights (OHCHR). On the basis of the new law, the country team and OHCHR intended to continue supporting the effective establishment of the Commission.[8]

7. The Human Rights Committee noted that article 222 of the Constitution provided for the primacy of international instruments ratified and promulgated by Chad over domestic laws, but expressed concern that the provisions of the International Covenant on Civil and Political Rights had not yet been directly invoked or applied by domestic courts.[9]

8. The Committee on the Elimination of Racial Discrimination recommended that Chad finalize and adopt pending bills and preliminary bills as a matter of urgency in order to properly implement the provisions of the Convention.[10]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[11]

9. The Human Rights Committee was concerned about the absence, in the State's legislation, of a definition of discrimination and of penalties that could be imposed by courts, and recommended that Chad incorporate into its legislation such a definition.[12]

10. The Committee on the Elimination of Racial Discrimination recommended that Chad incorporate into its legislation a definition of racial discrimination reflecting article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, in particular in the bill on racial discrimination.[13]

11. The Human Rights Committee was concerned about the persistence of traditional stereotypes that were detrimental to the dignity of women, resulting from their subordination within the family and society. It noted with concern the existence of customary and religious laws that permitted practices such as polygamy, repudiation and early and forced marriage. It was concerned about the unequal treatment of men and women in the area of inheritance and marital regimes. The Committee was concerned that the draft personal and family code, which had been under consideration for 20 years, had still not been adopted. The Committee recommended that Chad expedite the adoption of the personal and family code and ensure its full compliance with the International Covenant on Civil and Political Rights by repealing or amending those provisions that were inconsistent with the Covenant, in particular in the area of inheritance and marital regimes. It stated that Chad should abolish polygamy and the right of repudiation and consider measures to be taken to prevent those practices. In addition, Chad should organize awareness-raising programmes and campaigns among women, local chiefs and religious leaders to change traditional attitudes detrimental to women's enjoyment of their human rights.[14]

12. The Committee on the Elimination of Racial Discrimination recommended that Chad take specific measures to combat and abolish all caste-related practices, particularly by speeding up the adoption of specific legislation prohibiting descent-based discrimination, and to continue and step up its campaigns to raise awareness and educate the population, particularly by raising awareness among traditional and religious leaders about the negative effects of the caste system and the plight of victims.[15]

13. The Committee on the Elimination of Racial Discrimination recommended that Chad take advantage of the ongoing reform of its Criminal Code to incorporate provisions reflecting article 4 of the Convention.[16]

2. Human rights and counter-terrorism

14. The United Nations High Commissioner for Human Rights noted that, in July 2015, in the wake of attacks conducted by Boko Haram in June, Chad had adopted legislation on counter-terrorism. The legislation defined terrorist attacks in broad terms, reinstated the death penalty for terrorist acts, increased penalties for lesser offences (from the current maximum of 20 years in prison to a life sentence) and extended the duration of pretrial detention from 48 hours to 30 days, renewable twice. The new measures contravened international fair trial standards, including those provided for by the International Covenant on Civil and Political Rights, to which Chad was a signatory.[17]

15. The High Commissioner also noted that, following attacks by Boko Haram conducted between June and July 2015 in N'Djamena, the Chadian authorities had imposed increased security and surveillance measures, affecting civilians, particularly foreigners. For example, the Office of the United Nations High Commissioner for Human Rights had received reports that security forces, following the attack on N'Djamena on 15 June 2015, had arrested almost 400 foreigners, representing 14 nationalities, within a period of two weeks during spot checks of identity documents, during house searches or on the street.[18]

16. The High Commissioner recalled that States have an obligation to respect and protect the right to life of individuals under their jurisdiction from attacks by armed groups. Such an obligation includes taking measures to prevent the commission of offences, investigating human rights abuses and international humanitarian law violations promptly, thoroughly and independently and prosecuting those found responsible, providing adequate and effective remedies, and preventing the recurrence of violations.[19]

17. The High Commissioner recommended, inter alia, that the Governments of the States affected by Boko Haram adopt or review counter-terrorism laws and policies to ensure compliance with international standards, including international human rights law and international humanitarian law, in particular the principles of legality and proportionality, adopt a comprehensive strategy for countering violent extremism, and ensure a gender-sensitive approach to analysing and responding to violent extremism and terrorism by ensuring the effective participation of persons affected.[20]

B. Civil and political rights

1. Right to life, liberty and security of person[21]

18. The High Commissioner noted that in February 2015, Boko Haram was allegedly responsible for shooting and massacring more than 24 people on the islands of Lake Chad, including in the localities of Kaiga-Kingiria, Kangalom and Ngouboua.[22]

19. The Human Rights Committee was concerned about reports that the death penalty continued to be imposed despite the moratorium. It recommended that Chad consider abolishing the death penalty as part of the revision of the Criminal Code.[23]

20. The Committee was also concerned about allegations of further extrajudicial executions in Chad, in respect of which investigations had not yet resulted in the prosecution, conviction and sentencing of those responsible.[24]

21. The Working Group on the issue of discrimination against women in law and in practice was concerned that, under the Criminal Code, adultery was a crime punishable by imprisonment for a term of two to six months and a fine (art. 385). The provision under which homicide and assault causing bodily harm were excusable if the victim was the spouse of the perpetrator, or the spouse's partner in adultery, caught in the act of adultery (art. 69) was an unacceptable legalization of honour killing, which primarily had women as its victims.[25]

22. The Human Rights Committee recommended that Chad pursue investigations into enforced disappearances, bearing in mind the nature of that crime, and identify the perpetrators with a view to prosecuting them and bringing them to justice, including members of the police and security forces.[26]

23. The same Committee was concerned at reports that torture was commonly practised by police, defence and security forces, through the use of particularly brutal and cruel methods. It was also concerned at the lack of information on complaints, investigations, prosecutions, convictions and penalties imposed on perpetrators, as well as on compensation awarded to victims and measures taken for their rehabilitation. The Committee was further concerned at the lack of an independent mechanism to receive and investigate complaints regarding allegations of torture by police and defence forces. It recommended that Chad ensure that torture was prevented in its territory, that allegations of torture and ill-treatment were thoroughly investigated, that perpetrators were prosecuted and, if convicted, punished with appropriate penalties, and that the victims were adequately compensated and offered rehabilitation.[27]

24. In 2013, the Committee on the Elimination of Racial Discrimination had encouraged Chad to make the optional declaration provided for in article 14 of the Convention.[28]

25. The Human Rights Committee noted with concern that conditions of detention remained inadequate in the prisons in Chad, particularly in respect of overcrowding. The Committee was concerned at reports of a lack of hygiene and the poor and inconsistent quality of the food served to prisoners. It was also concerned that families had difficulty visiting prisoners. The Committee was further concerned that there was no separation of detainees according to their age and detention regime. It regretted the lack of an adequate mechanism to handle complaints from prisoners effectively.[29]

2. Administration of justice, including impunity, and the rule of law[30]

26. The Human Rights Committee was concerned about the lack of awareness in police and gendarmerie stations of the 48-hour limit for police custody established in article 221 of the current Code of Criminal Procedure, which led to prolonged periods of detention in police custody.

27. The same Committee recommended that Chad urgently order the immediate release, in accordance with article 9 of the International Covenant on Civil and Political Rights, of Khadidja Ousmane Mahamat, who had been held in pretrial detention since 2004, and take appropriate steps to provide her with the necessary assistance, including rehabilitation measures. It stated that Chad should also prosecute the perpetrator of the abuse that she had suffered, try him and sentence him, imposing appropriate penalties.[31]

28. The same Committee noted the measures taken to combat corruption in the judiciary and to improve access to justice, including the improved working conditions for judges, the increased number of judges and the establishment of a judicial training school and the Directorate for Access to Law. It was concerned, however, about reports of the executive branch attempting to interfere with the functioning of the judiciary. The Committee recommended that Chad strengthen measures to improve access to justice and ensure that everyone was afforded all legal safeguards in law and in practice, including the right to be assisted by a lawyer or counsel.[32]

29. The Committee on the Elimination of Racial Discrimination recommended that Chad press on with the justice reform in order to reduce dysfunctions and to take steps to ensure that all citizens had access to the justice system in order to assert their rights, notably in respect of acts of racial discrimination, and paying particular attention to refugees, asylum seekers and displaced persons, nomadic or semi-nomadic groups and groups living in rural areas.[33]

30. The Working Group on the issue of discrimination against women in law and in practice was concerned that the country had no special court for handling cases of violence against women and that the sole special police unit set up to combat sexual and gender-related offences, the Child Protection Unit, existed only in N'Djamena. The Working Group was also concerned about the underrepresentation of women in the national police

force (women made up 7.05 per cent of the force, with only 2 per cent of them in positions of responsibility) and the judiciary (32 of the country's 500 judges, or 6.4 per cent, were women). It stated that, in addition to being another example of discrimination against women, such underrepresentation made it harder for women to file complaints and gain access to justice. The few women who had the courage to begin judicial proceedings when their rights were violated faced numerous social, cultural and financial hurdles.[34]

3. Fundamental freedoms and the right to participate in public and political life[35]

31. The Human Rights Committee was concerned about: (a) restrictions placed on freedom of expression in Chad, particularly the freedom of the press, by, inter alia, suspending or closing certain newspapers. It was also concerned about the continued inclusion of press offences in Act No. 17/PR/2010 of 13 August 2010 on the press regime in Chad, whose implementation had led to some journalists being prosecuted and given prison sentences; (b) reports of widespread threats against, and harassment and intimidation of, human rights defenders and journalists by the police and security forces; and (c) reports of numerous obstacles faced by many human rights defenders in exercising the freedom to demonstrate.[36]

32. The same Committee recommended that Chad take measures to ensure that journalists and human rights defenders were protected from threats and intimidation and give them the freedom they needed to do their work, and that it investigate, prosecute and sentence those who threatened, harassed or intimidated them.[37]

33. The Committee on the Elimination of Racial Discrimination recommended that Chad ensure that the provision of the Constitution which stipulated that "all propaganda of an ethnic, tribal, regional or religious nature that seeks to undermine national unity or the secularity of the State shall be prohibited" was not interpreted or implemented in such a way as to prevent members of ethnic or racial groups from asserting the rights that were guaranteed to them by the Convention or to punish any criticism of leaders, their policies or their actions.[38]

34. The High Commissioner noted that the insurgency had also exacerbated tensions between communities and religions and increased the risk of further violence among communities. In July 2015, the Government of Chad had banned the wearing of full-face veils following successive suicide bomb attacks by veiled women and girls, possibly raising issues with regard to the freedom of religion or belief.[39]

4. Prohibition of all forms of slavery[40]

35. The Human Rights Committee noted with concern that human trafficking was still practised in Chad and regretted the lack of specific information on the extent of the problem, on the implementation and results of the national plan of action for 2012–2015 to combat the worst forms of child labour, trafficking and exploitation, and on prosecutions and convictions of traffickers. The Committee recommended that Chad step up efforts to ensure that all perpetrators of human trafficking were brought to justice, and take the steps necessary to ensure that victims were adequately compensated.[41]

5. Right to privacy and family life

36. The Working Group on the issue of discrimination against women in law and in practice expressed grave concerns about the numerous discriminatory provisions found in the country's laws on marriage and family relations that were incompatible with the Constitution and international standards. The Civil Code, for example, stated that the husband was the head of the household (art. 213) and that it was for the husband to decide where the family lived (art. 215). Similarly, under Order No. 03/INT/SUR/1961 of 2 June 1961, which regulated civil status matters, polygamy was the default marital regime unless the husband decided expressly not to opt for it (art. 11). If the husband engaged in polygamy despite having waived his right to do so, the marriage could be terminated at the wife's request and the bride price in that case might or might not be returned.[42]

37. The same Working Group stated that Chad had yet to adopt a family code that was in line with international standards and consistent with the constitutional obligation to

eliminate all forms of discrimination against women. According to some of the Working Group's interlocutors, some religious groups were lobbying against the adoption of a family code, a draft of which had been under discussion for nearly 20 years. Some aspects of the draft were of concern to the Working Group, including: the continued legality of polygamy, which allowed a husband to contract several marriages; and, even though the majority of the Working Group's interlocutors had acknowledged that customary and religious laws on inheritance discriminated against women, the establishment of a special inheritance system for people wishing to have their estates distributed under sharia law.[43]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work

38. The High Commissioner noted that the already fragile economic situation in some parts of the areas affected by violations and abuses committed by Boko Haram had been exacerbated by security and counter-insurgency measures of the Government, such as by those limiting the circulation of traffic or those leading to the closure of borders, motorcycle bans, curfews, the suspension of fishing, and the seizure of truckloads of goods on the grounds that they might be intended for Boko Haram. Consequently, many people had been deprived of their means of subsistence.[44]

39. The Secretary-General noted that, in Chad, the budget crisis had continued to limit government resources for addressing socioeconomic issues, leading to social unrest. The Government had appealed for more international assistance as compensation for the costly military readiness and regional interventions being shouldered by the country.[45]

2. Right to an adequate standard of living[46]

40. The country team noted that Chad faced security, humanitarian and economic challenges and threats and that violent extremist had a negative impact on economic growth.[47]

41. The country team noted that the nutritional situation continued to be a source of concern in Chad. According to the 2017 nutritional survey, global acute malnutrition was estimated at 13.9 per cent, which was very close to the critical level set by the World Health Organization (WHO), and there were enormous regional disparities, with 12 of the country's 23 regions recording global acute malnutrition rates that exceeded the critical level of 15 per cent set by WHO. The situation with respect to chronic malnutrition was equally worrying, with a national prevalence of 32.4 per cent and a rate exceeding the critical level of 40 per cent set by WHO in 5 of the 23 regions. An analysis of current trends showed a slight increase for all nutrition indicators since 2016. The *Cost of Hunger* study undertaken in collaboration with the Government of Chad and the African Union had concluded that child mortality was linked in 43 per cent of cases to malnutrition.[48]

3. Right to health[49]

42. The country team noted that WHO support activities in the area of health during the past four years (2014–2017) had focused on control of communicable and non-communicable diseases, strengthening of the health system, and strengthening of performance-based and results-oriented management. The activities involved primarily enhancement of the capacity of health structures and health-related human resources, consolidation of health-care governance, enhancement of the quality of services, disaster management, improvement of partnerships to promote health and promotion of health research.[50]

43. The country team emphasized that, notwithstanding the strong support provided by WHO to the Government in the area of vaccination, more vigorous action was required to attain the goal of eradication of poliomyelitis, and to increase immunization coverage at the national level so as to achieve the regional and global objectives, which were 90 per cent for each antigen.[51]

4. Right to education[52]

44. The United Nations Educational, Scientific and Cultural Organization (UNESCO) strongly encouraged Chad to submit more regular periodic reports on the implementation of UNESCO standard-setting instruments and to share with the Organization any relevant information on its educational polities. Chad should also be strongly encouraged to ratify the 1960 Convention against Discrimination in Education.[53]

45. UNESCO encouraged Chad to develop informal education programmes for girls who had dropped out of school and to promote the implementation of policies enabling young women to resume their studies after pregnancy. Chad should also be encouraged to use education as a means of raising public awareness of the principle of gender equality, of reproductive health and of action to combat harmful traditional practices such as female genital mutilation. Lastly, Chad should be encouraged to establish effective remedies in support of the constitutional and legislative guarantees of the right to education.[54]

D. Rights of specific persons or groups

1. Women[55]

46. The Working Group on the issue of discrimination against women in law and in practice noted that the vast majority of the Working Group's interlocutors had acknowledged the high prevalence of violence against women and girls as a problem deeply rooted in the country's patriarchal and traditionalist society.[56]

47. The Working Group also noted that Chad did not have a comprehensive law preventing and combating violence against women. Moreover, some forms of violence against women, such as marital rape, were not criminalized even though 12 per cent of women, according to official figures, had reported that they had been victims of violence at some point in their lives; in 73 per cent of the cases, their husband or partner had been the perpetrator.[57]

48. The same Working Group was alarmed that 38 per cent of women had undergone female genital mutilation, with the rate as high as 96 per cent in some regions. It was concerned by the scant progress made towards eliminating the practice. Despite the adoption of a law in 2002 prohibiting female genital mutilation and the many prevention efforts undertaken by a range of actors, the practice persisted, especially in the country's more remote areas. Furthermore, the proportion of women who had been subjected to the most extreme form of female genital mutilation, namely, infibulation (excision with stitching of the vaginal opening), had risen from 2 per cent in 2004 to 9 per cent in 2014. The rate was higher among girls aged under 14 years than it was among women overall (12 per cent versus 9 per cent).[58]

49. The Working Group, having visited the N'Djamena prison, stated that it was appalled by the inhuman conditions of detention to which women in the prison were subjected. Some of them, including pregnant women, women imprisoned with their children (aged between 3 months and 5 years) and minors, lived in extremely confined and unsanitary conditions with very limited access to food and health care. The reasons for their incarceration included theft, assault, homicide (of a violent husband or father-in-law or of a co-wife, for example), abortion and alleged acts of terrorism.[59]

50. The Human Rights Committee noted with concern the persistence of domestic violence in Chad despite the adoption of Act No. 06/PR/2002 of 15 April 2002 and of the Criminal Code, and recommended that Chad ensure the effective application of the 2002 Act and the Code. It recommended that Chad organize awareness-raising campaigns for men and women on the adverse effects of violence against women and on the enjoyment of their basic human rights.[60]

51. The Committee on the Elimination of Racial Discrimination was concerned at the fact that among some ethnic groups there were still customary practices that impeded women's full enjoyment of rights under the International Convention on the Elimination of

All Forms of Racial Discrimination, in particular the right to own or inherit land, and recommended that Chad take urgent steps to put an end to such practices.[61]

52. UNESCO noted that impediments to the school enrolment of girls were still numerous and a source of concern. Certain practices, such as early and forced marriages of girls who were still enrolled in secondary or even primary school, despite the criminal prohibition of such practices, forced them to drop out of school. During the period 2010–2015, the proportion of the population in the 15 to 19 age group who were married was 28 per cent. Similarly, long distances to school restricted access to education. A study of 179 Chadian villages had shown that children's enrolment decreased significantly when the school was located in another village, and that when the distance to be travelled increased, girls' enrolment declined more rapidly than that of boys, for instance on account of the risk of sexual harassment and violence on their way to school.[62]

2. Children[63]

53. The Working Group on the issue of discrimination against women in law and in practice noted with concern that Chad had one of the world's highest rates of child marriage. The median age of marriage for women was 16 (as opposed to 22 for men); 68 per cent of girls married before they turned 18 and 30 per cent before they turned 15. Even though child marriage was a crime in Chad, the practice continued to go wholly unpunished.[64]

54. The Human Rights Committee was concerned about the continuing practice of female genital mutilation, despite the measures taken by Chad, including the adoption of Act No. 06/PR/2002, and recommended that Chad increase its efforts to end the harmful practice of female genital mutilation by stepping up its targeted awareness-raising and information programmes and by applying its relevant legislation effectively.[65]

55. The same Committee was concerned that corporal punishment was still practised in some Qur'anic schools, despite the provisions of article 113 of Act No. 16/2006 of 13 March 2006, which prohibited physical abuse and any other form of violence or humiliation against pupils and students, and that it was tolerated in the home, where it was traditionally practised. The Committee recommended that Chad guarantee the effective implementation of Act No. 16/2006 and take other practical steps to put an end to corporal punishment in all settings. It stated that Chad should encourage non-violent forms of discipline as alternatives to corporal punishment and conduct public information campaigns to raise awareness of the harmful effects of violence of that kind.[66]

56. According to the country team, the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), WHO, the United Nations Population Fund (UNFPA) and the European Union had supported the Government in the overall assessment of the vital statistics registration system endorsed by a strategic plan for the period 2018–2022. The baseline assessment indicated that a large proportion of the Chadian population still failed to use civil registration services, so that the lowest ratio of birth registration was recorded in Chad, compared with other countries of Central Africa and West Africa.[67]

57. UNHCR reported that it had signed an agreement with the Ministry of Territorial Administration and Local Governance in 2017 with a view to the issuance of 50,000 birth certificates and declaratory judgments for refugee children born in the territory and host communities in the eastern, southern and western regions of the country. However, only 5,980 birth certificates had been issued for various reasons, including changes in local administrative authorities and the removal and understaffing of civil status centres and courts of law. The project was renewed in 2018 with a target of 50,000 birth certificates.[68]

58. While noting the efforts made to eliminate the recruitment of children into the armed forces and to reintegrate them into society, the Human Rights Committee was concerned that some child soldiers had not yet been identified and reintegrated. It recommended that Chad reactivate its programme to demobilize children from the armed forces and armed groups and continue to integrate them into society.[69] The Committee on the Elimination of Racial Discrimination raised similar concerns and made similar recommendations.[70]

59. The Human Rights Committee was concerned about the situation of child herders, and recommended that Chad continue its awareness-raising campaigns on child herders and reintegrate them into society.[71]

3. Minorities and indigenous peoples

60. The Committee on the Elimination of Racial Discrimination took note of the information provided by Chad on the coexistence of herders (nomadic and semi-nomadic) and farmers. The Committee was nevertheless concerned that the tensions that frequently arose between the two groups could degenerate into conflicts between nomads or semi-nomads and other population groups. The Committee recommended that Chad take measures, or strengthen existing measures, to reduce tensions between nomads or semi-nomads and other groups and ensure that those tensions did not degenerate into ethnic conflicts.[72]

4. Migrants, refugees, asylum seekers and internally displaced persons[73]

61. The country team noted that there were currently 410,118 refugees and 592 asylum seekers in Chad and that the majority of refugees came from the Sudan (323,647). The refugee population also included persons from the Central African Republic, the Democratic Republic of the Congo, Nigeria and other countries. Following the recent events involving attacks by the Boko Haram group in western Chad, a significant number of persons had been internally displaced and adversely affected. According to the most recent statistics, about 174,204 persons had been displaced or adversely affected and returned to the Lake.[74]

62. The Committee on the Elimination of Racial Discrimination recommended that Chad take steps to ensure access to basic public services for refugees, asylum seekers and displaced persons; and to improve access to the civil registry for refugees and asylum seekers, and ensure that births among refugees and asylum seekers, regardless of origin, were registered free of charge and in a systematic and non-discriminatory fashion.[75]

63. The Human Rights Committee was concerned about cases of violence against women refugees and displaced women and about the difficulties in gaining access to justice faced by refugees and displaced persons living in camps.[76] The Committee on the Elimination of Racial Discrimination raised similar concerns.[77]

64. The Human Rights Committee recommended that Chad: (a) continue to strengthen measures to prevent and protect against sexual violence and gender-based violence targeting women refugees and displaced women living in camps, foster access to justice for them, including through mobile courts, and prosecute persons responsible for such acts; (b) continue to conduct birth registration campaigns in refugee camps and issue a birth certificate to every newborn child of refugee parents; (c) strengthen the National Commission for the Reintegration of Refugees and Returnees by providing it with well-trained staff in sufficient numbers to process asylum applications in an efficient and equitable manner, and reinstitute its Subcommittee on Appeals; and (d) expedite the adoption of the bill incorporating into national law the provisions of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).[78]

65. The same Committee regretted the lack of information on judicial action taken in cases of violence. It was also concerned about the fact that many children born to refugees received a "declaration of birth" rather than a proper, official birth certificate.[79]

66. The country team noted with concern the existence of acute local integration and naturalization issues. Although the legislation provided for access to Chadian nationality, the conditions for such access were not clearly defined. The implementation of the procedure was subject, in practice, to all kinds of constraints. The naturalization procedure had been suspended for several years. Moreover, it should be stressed that it basically depended on the exercise of discretionary authority by the State, which had so far never granted nationality to a refugee. Mention should also be made of the non-registration of the civil status of refugee children born in Chad between 2003 and 2015, which exposed the

children to the risk of statelessness, and the case of returnees from the Central African Republic, who had lost contact with their country of origin.[80]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Chad will be available at www.ohchr.org/EN/Countries/AfricaRegion/Pages/TDIndex.aspx.
[2] For relevant recommendations, see A/HRC/25/14, paras. 110.1–110.30.
[3] See CCPR/C/TCD/CO/2, para. 11.
[4] See CERD/C/TCD/CO/16-18, para. 24.
[5] See United Nations country team submission for the universal periodic review of Chad, para. 3, p. 4.
[6] For relevant recommendations, see A/HRC/25/14, paras. 110.31–110.97.
[7] See United Nations country team submission, para. 8, p. 5.
[8] Ibid., para. 9, p. 5.
[9] See CCPR/C/TCD/CO/2, para. 5.
[10] See CERD/C/TCD/CO/16-18, para. 7.
[11] For relevant recommendations, see A/HRC/25/14, paras. 110.91–110.92.
[12] See CCPR/C/TCD/CO/2, para. 7.
[13] See CERD/C/TCD/CO/16-18, para. 9.
[14] See CCPR/C/TCD/CO/2, para. 8.
[15] See CERD/C/TCD/CO/16-18, para. 12.
[16] Ibid., para. 10.
[17] See A/HRC/30/67, para. 77.
[18] Ibid., para. 61.
[19] Ibid., para. 53.
[20] Ibid., para. 81.
[21] For relevant recommendations, see A/HRC/25/14, paras. 110.93–110.95 and 110.136–110.144.
[22] See A/HRC/30/67, para. 26.
[23] See CCPR/C/TCD/CO/2, para. 11.
[24] Ibid., para. 12.
[25] See A/HRC/38/46/Add.2, para. 20.
[26] See CCPR/C/TCD/CO/2, para. 13.
[27] Ibid., para. 14.
[28] See CERD/C/TCD/CO/16-18, para. 24.
[29] See CCPR/C/TCD/CO/2, para. 18.
[30] For relevant recommendations, see A/HRC/25/14, paras. 110.99–110.101 and 110.127–110.132.
[31] See CCPR/C/TCD/CO/2, para. 17.
[32] Ibid., para. 19.
[33] See CERD/C/TCD/CO/16-18, para. 18.
[34] See A/HRC/38/46/Add.2, para. 28.
[35] For relevant recommendations, see A/HRC/25/14, paras. 110.98 and 110.145–110.148.
[36] See CCPR/C/TCD/CO/2, para. 20.
[37] Ibid.
[38] See CERD/C/TCD/CO/16-18, para. 11.
[39] See A/HRC/30/67, para. 72.
[40] For the relevant recommendation, see A/HRC/25/14, para. 110.120.
[41] See CCPR/C/TCD/CO/2, para. 23.
[42] See A/HRC/38/46/Add.2, para. 17.
[43] Ibid., para. 19.
[44] See A/HRC/30/67, para. 71.
[45] See S/2017/764, para. 33.
[46] For relevant recommendations, see A/HRC/25/14, paras. 110.156–110.158.
[47] See United Nations country team submission, para. 21.
[48] Ibid., para. 32.
[49] For the relevant recommendation, see A/HRC/25/14, para. 110.155.
[50] See United Nations country team submission, para. 24.
[51] Ibid., para. 26.
[52] For relevant recommendations, see A/HRC/25/14, paras. 110.160–110.172.
[53] See UNESCO submission for the universal periodic review of Chad, para. 10.
[54] Ibid., para. 13.
[55] For relevant recommendations, see A/HRC/25/14, paras. 110.102–110.119.
[56] See A/HRC/38/46/Add.2, para. 57.
[57] Ibid., para. 24.
[58] Ibid., para. 59.
[59] Ibid., para. 63.
[60] See CCPR/C/TCD/CO/2, para. 10.

[61] See CERD/C/TCD/CO/16-18, para. 13.
[62] See UNESCO submission, para. 12.
[63] For relevant recommendations, see A/HRC/25/14, paras. 110.120–110.126.
[64] See A/HRC/38/46/Add.2, para. 37.
[65] See CCPR/C/TCD/CO/2, para. 9.
[66] Ibid., para. 15.
[67] See United Nations country team submission, para. 18.
[68] UNHCR submission for the universal periodic review of Chad, p. 2.
[69] See CCPR/C/TCD/CO/2, para. 22.
[70] See CERD/C/TCD/CO/16-18, para. 16.
[71] See CCPR/C/TCD/CO/2, para. 23.
[72] See CERD/C/TCD/CO/16-18, para. 21.
[73] For the relevant recommendation, see A/HRC/25/14, para. 110.174.
[74] See United Nations country team submission, para. 51.
[75] See CERD/C/TCD/CO/16-18, para. 14.
[76] See CCPR/C/TCD/CO/2, para. 21.
[77] See CERD/C/TCD/CO/16-18, para. 15.
[78] See CCPR/C/TCD/CO/2, para. 21.
[79] Ibid.
[80] See United Nations country team submission, para. 20.

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Summary of Stakeholders' submissions on Chad*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 13 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. La Plateforme des organisations Tchadiennes de défense des droits de l'homme (Platform of Chadian Human Rights Organizations) (JS1) noted that no international human rights instrument had been ratified since the 2013 universal periodic review, despite Chad having accepted recommendations to that effect.[4]

3. The International Federation of Action by Christians for the Abolition of Torture (FIACAT) stated that Chad had not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearance, contrary to the recommendations accepted during the second cycle of the universal periodic review.[5]

4. Referring to relevant supported recommendations from the UPR of Chad in 2013, JS4 stated that the government has not implemented any recommendations fully.[6]

5. 2) Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; 3) Special Rapporteur on the rights to freedom of peaceful assembly and of association; 4) Special Rapporteur on the Independence of Judges and Lawyers; 5) Special Rapporteur on extrajudicial, summary or arbitrary executions; 6) Special Rapporteur on the rights to privacy; and 7) Working Group on Arbitrary Detention.[7]

* The present document was not edited before being sent to United Nations translation services.

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B. National human rights framework[8]

6. Referring to relevant supported recommendations, Amnesty International (AI) stated that Chad failed to bring its legislation in line with international law and standards. National laws regulating the rights to freedom of association and peaceful assembly have not been amended and brought into conformity with Chad's obligations under international law. In 2016, Chad issued at least 13 decrees confirming a ministerial decision to refuse authorization to protest.[9]

7. JS1 reported that, following the seventeenth session of the universal periodic review in 2013, Chad had enacted a new Criminal Code and Code of Criminal Procedure in May 2017. Referring to the commitment made by the Government during the review in 2013 to abolish the death penalty, the Platform notes that this commitment had only been partially fulfilled. The death penalty, although abolished under the new Criminal Code, has in fact been maintained for terrorism-related offences.[10]

8. FIACAT stated that the new Criminal Code was enacted on 8 May 2017. It abolished the death penalty for ordinary crimes, but its final provisions retained Act No. 034/PR/2015 of 5 August 2015 on the punishment of acts of terrorism. Chad has therefore not abolished the death penalty for all offences. Nevertheless, it should be noted that no death sentences were handed down in 2016 and 2017, although a number of suspected Boko Haram militants had been charged and transferred to the prison of Korotoro pending trial.[11]

9. JS1 noted that, despite Chad having accepted a number of recommendations for the establishment and effective functioning of the National Human Rights Commission, the National Human Rights Commission Act had only been enacted in 2017 and no structure had been set up to date.[12]

10. JS1 noted with concern that Decree No. 08/PR/2017 of January 2017 on the restructuring of the National Security Agency strengthened the powers of the Agency and provided it with the legal authority to arrest and detain, for the purposes of an investigation, suspects posing an actual or potential threat under the laws of the Republic. However, there was no clear legal framework setting out the purpose of such powers or the circumstances in which they may be used.[13]

11. FIACAT reported that, in accordance with the commitments made during its previous universal periodic review, Chad had enacted a new Criminal Code on 8 May 2017, which incorporated into its provisions the offence of torture. The definition was consistent with that contained in the Convention against Torture. The new Criminal Code provided for sentences of 20 to 30 years' imprisonment for acts of torture resulting in the unintentional death of a person. The sentence is 10 to 20 years' imprisonment in cases of torture that permanently deprive the victim of the use of all or part of their limbs, an organ or a sense. In the event that the torture leads to illness or incapacity to work lasting more than 30 days, the sentence is 5 to 10 years' imprisonment and a fine of 300,000 to 1 million CFA francs. In other cases, the sentence is 2 to 5 years' imprisonment and a fine of 100,000 to 500,000 CFA francs. The new Criminal Code explicitly states that no exceptional circumstances may be invoked as a justification for torture.[14]

12. FIACAT also noted that the new Criminal Code represented a significant step forward. It failed however to establish that acts of torture should not be subject to a statute of limitations; in addition, it had not yet been adequately publicized or explained in police stations and gendarmeries where numerous cases of torture were recorded. To date, no convictions for torture had been handed down on the basis of the new Criminal Code.[15]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[16]

13. AI recommended that the austerity measures do not result in discrimination of any kind, and that Chad prioritize the most marginalized groups when allocating resources, and adopt all necessary measures to address any disproportionate and compounded effects of such measures on them.[17]

Development, the environment, and business and human rights[18]

14. Le collectif des associations de défense des droits de l'homme (Collective of Associations for the Defense of Human Rights) (JS2) noted that a number of challenges remained, despite the existence of Act No. 14/2008 regulating forests, wildlife and fisheries, Decree No. 630/PR/PM/MEERH/2010 regulating environmental impact studies, Decree No. 904/PR/MEHR/2009 regulating pollution and environmental hazards and Decree No. 378/PR/PM/MAE/2014 promoting environmental education in Chad, and a number of United Nations framework conventions on the protection of the environment. These challenges included: pollution linked to the exploitation of natural resources, illegal logging, and the lack of collection and treatment of household refuse and waste water.[19]

Human rights and counter-terrorism

15. Front Line Defenders (FLD) stated that Chad has faced repeated attacks perpetrated by the armed group Boko Haram in the Chadian capital, N'Djamena, and also on islands on Lake Chad. The counter-terrorism operations conducted by the government had an impact on human rights, including restrictions on freedom of movements and the adoption of restrictive legislations. On 9 November 2015, the Chadian government declared a state of emergency in the Lake Chad region, providing the governor of the region with the authority to ban the movement of people and vehicles, search homes and recover arms. Earlier that year, on 30 July, the National Assembly adopted a controversial anti-terrorism law that includes a provision of death penalty for terrorism offences.[20]

16. FIACAT stated that the Terrorism Act stipulated the death penalty for any person who committed a terrorist act, financed such an act or recruited or trained persons for participation in such an act, no matter where the offence was committed. In addition, this oppressive Act failed to clearly define the concept of terrorism, thus leaving open the possibility of reprisals against human rights opponents or activists.[21]

17. JS1 noted with concern that, in the context of the fight against terrorism, between 2015 and 2016 more than 200 alleged Boko Haram members were arrested in the Lake Chad region and transferred to the high security prison in Korotoro without being brought before an investigating judge, in violation of their right to a fair trial. Since then, they have been held without trial.[22]

18. JS1 noted that, in August 2015, 10 Boko Haram members were sentenced to death at a summary trial. They were executed the following day without being allowed recourse to legal remedies such as an appeal in cassation or a presidential pardon.[23]

2. Civil and political rights

Right to life, liberty and security of person[24]

19. JS1 reported that law enforcement officials and security forces regularly resorted to disproportionate and excessive use of force against unarmed demonstrators. On 9 March 2015, the police suppressed a demonstration of pupils and students, shooting one of them dead. On 14 November 2016, a land dispute arose between the Miandoum population and transhumant herders. Security forces deployed from Doba and Bebedja used live ammunition in suppressing the peaceful demonstration of indigenous Miandoum heading

for the city of Bebedja to make their voices heard. That action by the gendarmerie and the national police reportedly left at least seven civilians dead and 17 others injured. No legal action had been taken in the case, which fostered impunity.[25]

20. JS1 noted with concern that, on 27 November 2017, the police fired at close range at young persons from Pont Carol who were protesting peacefully against the sale of land intended for the town market by the acting mayor, killing six and injuring several others. No judicial investigation has been undertaken to date.[26]

21. FIACAT noted that, on 9 April 2016, some members of the military who had voted for opposition candidates in the presidential elections were arrested. Some were reported missing and their families have not heard from them since. A judicial inquiry was opened by the High Court in N'Djamena, which was subsequently discontinued. Another case concerned journalist Noubadoum Sotina who disappeared on 4 March 2014 in Douala, Cameroon, while travelling on mission to the Congo. Despite efforts by his family and his colleagues, the Governments of Chad and Cameroon are unable to provide any information on the disappearance.[27]

22. FIACAT also noted that cases of torture continue to be reported, the main victims being members of civil society organizations, human rights defenders and journalists. Cases of torture are reported to have occurred in police detention facilities, where victims are summoned at the weekends and then pressurized, including through acts of torture, to make a confession or pay what they owe their opponents. For example, Mahamat Abakar Hassane, who had been held in custody at the N'Djamena central police station for over 27 days, was tortured over a bill for the sale of a vehicle. He died on 8 October 2016 as a result of acts of torture. A complaint was brought against the police officers concerned, but the judge dismissed the case against them. The case, which is being monitored by ACAT Chad, is currently under appeal.[28]

23. AI recommended that the government immediately and publicly instruct the police, the army, the National Security Agency and the gendarmerie, to end unlawful arrests and detention, incommunicado detention and refrain from detaining people without charge beyond the 48-hour period stipulated in the Criminal Code.[29]

24. With regard to prisons in Chad, FIACAT noted that the living conditions of prisoners, including food, hygiene and sanitation, remain a major concern in all 45 short-stay prisons. Detainees were entitled to only one meal of questionable quality per day and none of the prisons conformed to international standards. Prison overcrowding was also a cause of great concern. According to the 2016 statistical yearbook of the judicial system, Chadian prisons housed a total of 7,719 detainees including 2,872 convicted prisoners, 2,903 defendants, 1,909 accused and 35 imprisoned for debt. This number has undoubtedly increased in recent months as a result of strikes that have paralysed the justice system. In response, the President of the Republic made a surprise visit to N'Djamena remand prison in May 2017 and ordered the release without trial of minors and pregnant women.[30]

Administration of justice, including impunity, and the rule of law[31]

25. FIACAT noted that several States had made recommendations on judicial reform to Chad in 2013. Despite the efforts made by technical and financial partners to support such reform, no changes have been observed. The Chadian justice system remained plagued by several problems, such as the judiciary's lack of independence from the executive, the lack of quality training for judges and registrars, patronage, corruption, lack of proper courthouses, and the fact that judges do not feel safe.[32]

26. Human Rights Watch (HRW) noted with concern the government's failure to make reparations to victims of Hissène Habré-era abuses despite its legal obligations and a 2015 decision by a Chadian court ordering it to provide compensation to over 7,000 victims.[33]

27. The same organization stressed that on March 25, 2015, after a three-month trial, the Court of Appeals of N'Djamena convicted 20 Habré-era security agents on charges of murder, torture, kidnapping, and arbitrary detention. The Court ordered the convicted persons to pay damages to the 7,000 civil parties the equivalent of 50% of 75 billion CFA francs (approximately $125 million USD), with the remaining 50% to be borne by the

Chadian state. The Court held that the Chadian government was liable for the acts of its agents. The Court ordered that the Prime Minister establish a Commission to implement the judgment. It also ordered the construction of a memorial to the victims within a period not exceeding one year from the date of the judgment. Additionally, the Court ordered that the headquarters of the former DDS be transformed into a museum.[34]

Fundamental freedoms and the right to participate in public and political life[35]

28. JS1 noted that arbitrary arrest and detention have increased in recent years. In the majority of documented cases, the National Security Agency was identified as the main perpetrator of such human rights violations. Agency officials regularly violated human rights with impunity by abducting, detaining and torturing people, including journalists and human rights defenders, who continued to be subject to threats, intimidation, arrests and inhuman and degrading treatment in the exercise of their duties.[36]

29. AI recommended that Chad effectively address threats, attacks, harassment and intimidation against human rights activists and journalists, including by thoroughly, promptly and independently investigating human rights violations and abuses against them and bringing the suspected perpetrators to justice in fair trials without recourse to the death penalty, and providing effective remedies and adequate reparations.[37]

30. FIACAT noted that arbitrary and abusive detentions were being used as a means of putting pressure on opponents and activists.[38]

31. The International Service for Human Rights (ISHR) noted that following a change of mandate in January 2017 by decree no. 008/PR/2017, agents of the National Security Agency can now arrest human rights defenders (HRDs) for reasons related to national security to "detect, prevent and anticipate any subversive activity and destabilization directed against the vital interests of the State and the Nation" (article 6 of the decree). HRDs are often prosecuted for "terrorism" and "endangering state security" on the basis, inter alia, of Law 34/PR/2015 on the Suppression of Acts of Terrorism, whose content remains relatively vague and confusing.[39]

32. Referring to a growing trend of government ordered internet shutdowns on the continent, Internet without borders, Access Now, Utopie Nord-Sud and Réseau des défenseurs des droits humain en Afrique centrale (JS3) stated that the government in Chad was no exception. The government blocked all social networks and messaging applications in February 2016 during major demonstrations and on 10 April 2016, the day after the presidential elections, including access to the Internet and SMS/messaging services.[40]

33. JS3 noted with concern that on April 21, 2016, the day the interim election results were announced, the authorities reinstated SMS/messaging services, but the connection to social networks was not fully restored until December 3rd. At the same time, the government blocked access to internationally roaming data services, including the BlackBerry service, citing security concerns that criminals and terrorists from other countries were using the Internet. The authorities also stated that the disturbances were related to technical problems, which was greeted with great scepticism.[41]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[42]

34. JS2 indicated that Chadian legislation guaranteed access to public employment and also provided for equal pay between men and women. Employees of the State were governed by Act No. 17/PR/2001 on the General Civil Service Regulations and private sector workers by Act No. 038/PR/1996 on the Labour Code in the Republic of Chad. Graduates of specialist training schools who could provide expertise were not recruited into the civil service, despite a crying need. Civil service appointments were not made on the basis of competence. Appointments had been frozen for some time owing to the economic crisis.[43]

Right to an adequate standard of living[44]

35. JS2 stated that Chad had prioritized the eradication of poverty through its National Poverty Reduction Strategy and the adoption of the National Development Agenda in 2017. It focused notably on the right of access to drinking water, the right to education, the right to food, the right to health, the right to decent housing, the right to work and the right to a healthy environment.[45]

36. JS2 was also concerned that access to safe drinking water remained a challenge in Chad. Citing the 2015 UNICEF report, it noted that the rate of access to drinking water was one of the lowest in the world (12 per cent) and that the Government's efforts with the support of international partners remained insufficient.[46]

37. Referring to relevant supported recommendations, AI stated that, in 2013, Chad committed to prioritize the social sectors, such as health and education, in government expenditures and to step up efforts to ensure better access to and quality of health and education services. Yet, since the economic crisis was announced in 2015, the government has taken several austerity measures that do not conform to the minimum core content of economic, social and cultural rights, including in relation to health care, education and an adequate standard of living.[47]

Right to health[48]

38. JS2 stated that progress had been made by the Government in the construction and renovation of health infrastructure and in the training and retraining of health workers. The prevalence rate of HIV/AIDS had declined significantly, from 4.8 to 2.5 per cent. However, Chad did not have an adequate public health policy. The scarcity of doctors should also be noted (1 doctor per 400 inhabitants). Free health care remained an empty promise. Chad was one of the countries that ranked lowest in terms of reproductive health, with a high fertility rate. That was due to a lack of awareness and limited use of modern contraceptives.[49]

39. AI stated that, in August 2017, the free emergency health care policy was revised and the list of emergencies it covers reduced to five, including complicated deliveries, malaria for pregnant women and children below 5 years old, fistulas, and snake and scorpion bites. Patients now have to pay for other emergency health care services that used to be available free of charge. According to several public health centres and hospitals, since 2015 they have not received allocations of free drugs and equipment from the government. As a result, these supplies are either unavailable, or health centres ask patients to pay for medicines and the equipment they use.[50]

40. JS2 noted with concern that the practices of excision and early marriage were becoming more and more entrenched, which had an impact on the health of girls, causing injuries and other complications such as fistulas.[51]

Right to education[52]

41. JS2 noted with concern that, despite the many reforms of the education system, Chad had not been able to provide its young people with quality education despite an increase in the enrolment rate at all levels of education at an average annual rate of between 8 and 12 per cent. The decisions of the national consultations on education had not been implemented. Education coverage for each cycle remained low and the failure rate for examinations was the highest in the Central African subregion. The education system was also characterized, inter alia, by insufficient quantity and quality of teachers, a lack of infrastructure and teaching materials, an uneven start to the school year and the politicization of the system. The budget allocated to the Ministry of Education had been effectively cut by more than 50 per cent over the past three years.[53]

4. Rights of specific persons or groups

Women[54]

42. JS2 stated that, compared to past decades, gender-based violence and discrimination against women were on the decline. That was reflected in the adoption of Act No. 001/PR/2017 of 8 May 2017 on the Criminal Code, Act No. 006/PR/2002 on reproductive health, and Act No. 029/PR/2015 prohibiting child marriage and gender-based violence. In practice, the problem continued. In 2015, a female student from the Adam Barka University in Abéché was gang raped by 12 young people at 11 p.m. during a National Women's Week fair. The perpetrators were identified, but the case was discontinued. In 2018, the District Hospital of Abéché recorded three cases involving the rape of minors aged 8, 9 and 10 years, but the cases were settled amicably by the parents of the parties before the Supreme Council of Islamic Affairs of Abéché.[55]

Children[56]

43. The Global Initiative to end all corporal punishment of children informed that, in Chad, corporal punishment of children is lawful, despite repeated recommendations to prohibit it by the Committee on the Rights of the Child, the Human Rights Committee, the Committee Against Torture, and the African Committee of Experts on the Rights and Welfare of the Child.[57]

44. The same organisation noted that, in 2017, the African Committee of Experts on the Rights and the Welfare of the Child recommended that Chad prohibit corporal punishment in all settings, including the home, and repeal any provisions providing a legal defence or authorisation to its use.[58]

45. Referring to the ratification and adoption by Chad of international children's rights instruments, the Collectif Tchadien pour la défense des droits des femmes et des enfants (Chad Collective for the Defence of the Rights of Women and Children) stated that child trafficking was common in Chad. No coherent policy had been put in place to combat child trafficking effectively, which explained why so many trafficking cases continued to be recorded.[59]

Persons with disabilities[60]

46. JS2 noted that none of the nine recommendations made in 2011 relating to persons with disabilities had been implemented. Persons with disabilities were languishing in misery and poverty. Despite Act No. 007/PR/2007 of 28 June 2007 on the protection of persons with disabilities, Decree No. 136/PR/PM/MASF/1994 proclaiming a National Day for Persons with Disabilities, and Order No. 377/MEN/DG/1995 providing for an exemption for students with disabilities and parents with disabilities, enrolment and tuition expenses continued to pose challenges. Other challenges included a lack of facilities to accommodate the special needs of persons with disabilities, an absence of specialized education programmes for persons with disabilities, discrimination with regard to employment and the stigmatization, marginalization and precarious position of women with disabilities (sexual exploitation and neglect).[61]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AI	Amnesty International, London (United Kingdom);
FIACAT	Fédération internationale de l'action des chrétiens pour l'abolition de la torture, Paris, France;
FLD	Front Line Defenders, Brussels, Belgium;
ISHR	International service for human rights, Geneva, Switzerland;
	The Global Initiative to end all corporal punishment of

children.

Joint submissions:

JS1 **Joint Submission 1 submitted by**: La plateforme des organisations Tchadiennes de défense des droits de l'homme, N'Djamena, Tchad;

JS2 **Joint Submission 2 submitted by**: Le collectif des associations de défense des droits de l'homme, N'Djamena, Tchad;

JS3 **Joint Submission 3 submitted by**: Internet without borders, Access Now, Utopie Nord-Sud and Réseau des défenseurs des droits humain en Afrique centrale;

JS4 **Joint Submission 4 submitted by**: Word alliance for citizen participation (CIVICUS) and Réseau des défenseurs des droits de l'homme en Afrique Centrale, Geneva, Switzerland;

JS5 **Joint Submission 5 submitted by**: Le collectif Tchadien pour la défense des droits des femmes et des enfants, Ndjamena, Tchad.

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
RSC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations see A/HRC/25/14, paras. 110.1–30.

[4] Platform of human rights organizations (JS1), p. 3.

[5] FIACAT para. 10.

[6] CIVICUS, Réseau des défenseurs des droits humains en Afrique centrale, para. 4.1.

[7] IBID. para. 4.1.

[8] For relevant recommendations see A/HRC/25/14, paras. 110.31–97.

[9] Amnesty International, p. 2.

[10] JS1. P. 3.

[11] FIACAT, para. 5.

[12] JS1, p. 3.

[13] Ibid. p. 4.

[14] FIACAT, para. 11.

[15] FIACAT, para. 12.

[16] For relevant recommendations see A/HRC/25/14, paras. 110.9–92.

[17] Amnesty international, P 7.

[18] For relevant recommendations see A/HRC/25/14, paras. 110.149-174.

[19] Collectif des Associations de Défense des Droits de l'Homme, para. 27.

[20] Front Line Defenders, para. 4.

[21] FIACAT para. 3.
[22] JS1 p. 8 et 9.
[23] JS2 p. 10.
[24] For relevant recommendations see A/HRC/25/14, paras. 110.93–95 and 110.136–114.
[25] JS1 p. 9.
[26] IBID. p. 9.
[27] FIACAT para. 8 et 9.
[28] IBID. para. 13 et 17.
[29] Amnesty International, P6.
[30] FIACAT, para. 24.
[31] For relevant recommendations see A/HRC/25/14, paras. 110.99–101 and 127–132.
[32] FIACAT, para. 28.
[33] HRW, p. 1.
[34] IBID. p. 3.
[35] For relevant recommendations see A/HRC/25/14, paras. 110.98–145, 148.
[36] JS1 p. 6 et 7.
[37] Amnesty International, p. 6.
[38] FIACAT, para. 23.
[39] ISHR, p. 2.
[40] JS3, paras. 31, 32 and 33.
[41] IBID. para. 34.
[42] For relevant recommendations see A/HRC/25/14, paras. 110.149–153.
[43] JS2, para. 26.
[44] For relevant recommendations see A/HRC/25/14, paras. 110.156–158.
[45] JS2, para. 20.
[46] IBID. para. 21.
[47] Amnesty international, p. 2.
[48] For relevant recommendations see A/HRC/25/14, para. 110.155.
[49] JS2, para. 24.
[50] Amnesty international, p. 5.
[51] JS2, para. 24.
[52] For relevant recommendations see A/HRC/25/14, paras. 110.160–172.
[53] JS2, para. 22.
[54] For relevant recommendations see A/HRC/25/14, paras. 110.102-119.
[55] JS2, para. 32.
[56] For relevant recommendations see A/HRC/25/14, paras. 110.120–126.
[57] Global Initiative to end all corporal punishment of children, Briefing for UPR 31, P 1.
[58] IBID. P 3.
[59] JS2, p. 5.
[60] For relevant recommendations see A/HRC/25/14, para. 110.173.
[61] JS2, para. 35.